

REMARKS

Claims 1-4, 7, 8, 10, and 12-23 are pending.

In a decision dated September 24, 2003, the Board of Appeals and Patent Interferences affirmed the rejection of claims 1-4, 7-8, 10, and 12-23 under 35 U.S.C. §112, paragraph 1 for failure to satisfy the written description requirement with respect to the term "fluoroplastic." However, the Board also reversed the rejection of claims 1-4, 7-8, 10, and 12-23 under 35 U.S.C. §103(a) over Hammar in combination with Pustka. Prior to the Board's decision, the Examiner had withdrawn all other rejections.

Applicants have now amended the claims by replacing "fluoroplastic" with "fluoropolymer." There is no dispute that the term "fluoropolymer" finds support in the originally filed claims and specification. Therefore, the rejection under 35 U.S.C. §112, paragraph 1 should be withdrawn.

Claim 1 is also amended to recite "an orthodontic bracket." Claims 2-11 have also been amended to reflect the amendment to claim 1. There is no suggestion or teaching in Hammar that a fluoropolymer might be used as a bracket. Rather, Hammar discloses use of a fluoropolymer as a ligature, wedge, or force module. Moreover, with respect to claim 17, Hammar fails to disclose or suggest the specific fluoropolymers set forth in the claim.

Applicant : Jerold S. Horn et al.
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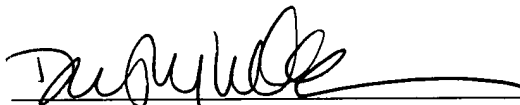
Attorney's Docket No.: 10102-001001 / 52075US002

In view of the above, all pending claims are now in condition for allowance, and such action is requested. Enclosed is a \$770.00 check for a Request for Continued Examination. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: _____

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Dorothy P. Whelan
Reg. No. 33,814

Fish & Richardson P.C., P.A.
60 South Sixth Street
Suite 3300
Minneapolis, MN 55402
Telephone: (612) 335-5070
Facsimile: (612) 288-9696

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